

Welcome to Exploring Careers in the Law!

We look forward to you joining us on **July 20, 10 a.m.–12 p.m.** The program will begin promptly.

We've put together resources and readings to make the program more valuable and interesting. You are expected to be familiar with this information. *Please read these materials before you attend.*

Questions? Contact Amy Feinauer, feinauera@courts.mi.gov.

What Will We Do?

During this fast-paced program you will be expected to contribute actively and respectfully through polls, questions, and small group discussions. Everyone who joins for the entire session will receive a personalized certificate for their portfolio.

Welcome

Justice Elizabeth M. Welch, [Michigan Supreme Court](#)

Student Speech and *Tinker v Des Moines* Breakout

Katherine Bennett, [Department of Attorney General](#)
Nicole L. Gettler, [Zausmer, P.C.](#)
Andrea Marti, [Friend of the Court Bureau](#)
Tim P. Seeger, [Grewal Law PLLC](#)
Christopher Wickman, [Nichols Law](#)

Mahanoy v BL: Introduction

Rachael Drenovsky, [Learning Center](#)

Mahanoy v BL: A Panel Discussion and Breakout

Judge Christopher P. Yates, [Kent County Circuit Court](#)
Philip Edwin Mayor, [ACLU Fund of Michigan](#)
Jennifer K. Starlin, [Thrun Law Firm, P.C.](#)

Closing

Virtual Program

The virtual program will be hosted through Zoom. You may wish to review the [attendee meeting controls](#).

The program will be recorded, and screen shots will be taken for use in future educational or promotional materials.

Etiquette

Respectful virtual classroom behavior is expected. *Please –*

- Log in from a distraction-free, quiet environment.
- Keep your audio muted until you are called on to speak or instructed to unmute.
- Remember chat is public and a record is kept.
- Make sure your video is on, and look your best.
- Be sure your display name identifies you appropriately.



Civility

Civil discourse and respect for all participants is expected during discussions. Read these [ground rules](#) provided for student programs by the U.S. Courts.

Does the First Amendment Protect Online, Off-Campus Student Speech?

Before the program, read the following information to get acquainted with the case and legal issues you and other students will discuss with legal professionals.

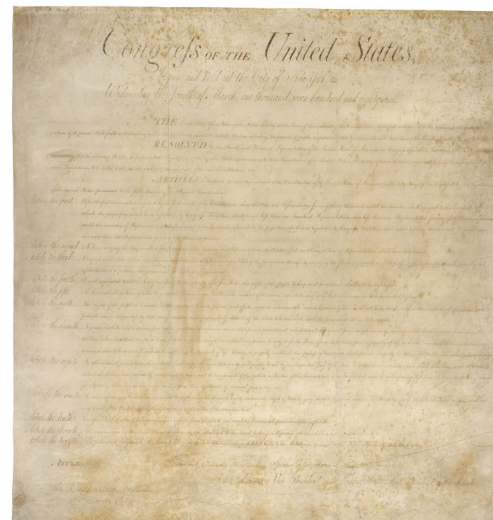
Mahanoy v BL (2021)

In 2017, BL, a 9th grader in Pennsylvania, put a curse-filled post on social media after she didn't make the varsity cheerleading team. Another student showed the post to a coach, and administrators removed her from the junior varsity team for breaking team rules. As a result, BL through her parents filed a lawsuit in federal court.

School administrators argued they need to know the limits of their authority. Students wanted to know whether they will be punished for off-campus social media posts.

The case was decided in federal district court, appealed to the circuit court of appeals, and finally appealed to the U.S. Supreme Court. Oral arguments were heard April 28, 2021 ([argument analysis](#) at SCOTUSblog). The question before the high court was whether the landmark student speech case [Tinker v Des Moines Independent Community School District](#) from the Vietnam War era applies to students' off-campus use of social media today.

On June 23, 2021, the U.S. Supreme Court issued an 8–1 [opinion](#) in favor of BL. The Court decided the school had violated her First Amendment rights given the facts of the case. However, the ruling acknowledged that schools could regulate students' off-campus speech in certain instances, such as those involving "severe bullying or harassment" or violent threats.

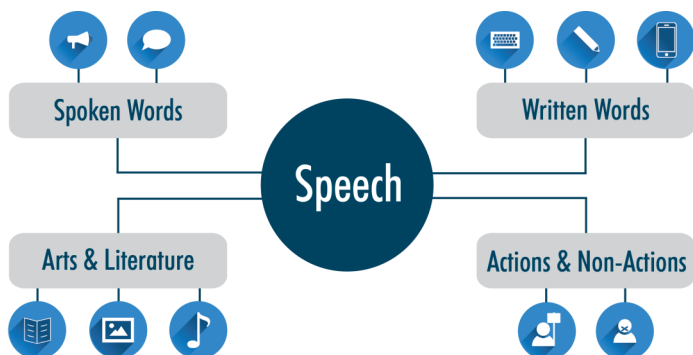


See the full [Bill of Rights](#) on the U.S. National Archives Flickr channel.

First Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Read more about the [First Amendment](#) in the National Constitution Center's Interactive Constitution.



Student Speech and [Tinker v Des Moines \(1969\)](#)

Be prepared for small group discussions of the reflection statement and arguments submitted in briefs for the landmark *Tinker* case (shown below).

Children of the Tinker family, including Mary Beth and John, and several friends wore black armbands in school in 1965 as a silent protest of the Vietnam War. School officials asked them to remove their armbands, fearing disruption caused by the protest. When the students refused, they were sent home until they returned without these symbols.

The Tinkers and a friend sued, and the U.S. Supreme Court sided with the students. The majority said, “It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” Nonetheless, if student speech causes (or is reasonably forecast to cause) a substantial disruption to the learning environment, schools can restrict it.



Mary Beth Tinker in 2017, holding the original detention slip she received. ([Source](#))

Reflection Statement | Think of an instance where, in your opinion, a public school teacher or principal should be allowed to penalize a student because of something the student said.

Argument	Supports
Free speech is not an absolute right. The First Amendment does not say that anyone may say anything, at any place, at any time. Schools are not an appropriate forum for protest.	
Students, whether in school or out of school, are “persons” under the Constitution. They possess fundamental rights that all levels of government must respect.	
Voicing controversial opinions in class or in school areas such as the hallways, lunchrooms, and gym classes may lead to bullying or violence directed against protesting students. It is the responsibility of the schools to prevent such behavior and protect the safety of all students.	
If the Supreme Court rules in favor of the students, it would be overstepping its bounds and interfering with state and local government powers that govern day-to-day school operations.	
The students wearing the armbands did not infringe any other student's rights. Wearing the armbands did not intrude upon the work of the schools, teachers, or other students.	

Arguments from StreetLaw ([Source](#))

About Legal Careers

If you're curious about legal careers, here are a few places to start your search.

What Is a Lawyer?

[American Bar Association](#) (ABA)

A lawyer (also called attorney, counsel, or counselor) is a licensed professional who advises and represents others in legal matters. Today's lawyer can be young or old, male or female. Nearly one-third of all lawyers are under thirty-five years old. Almost half of the law students today are women, and women may ultimately be as numerous in the profession as men. [Continue reading](#)

What Is a Judge?

[A Day in Court](#) (Game for Desktop Browsers)

A judge is an elected official given authority to make decisions in civil and criminal proceedings in a court of justice. To serve in the state's judicial branch of government, a judge must be admitted to the practice of law for at least five years and be less than 70 years old at the time of election or appointment (to fill a vacancy). A justice is a judge of a supreme court.

See also [Best of Justitia: Judges](#) (PDF)



[Careers in the Courts](#) – Watch brief informational interviews with judges, lawyers, and other court staff as they talk about their roles, career paths, and rewarding or surprising parts of their jobs.

Law Schools

The [American Bar Association](#) accredits and approves institutions and programs that confer J.D. (juris doctorate) degrees.

[List of ABA-approved law schools](#)

Law Schools in Michigan

- [Detroit Mercy Law](#)
 - [MSU College of Law](#)
 - [Michigan Law](#)
 - [WSU Law School](#)
 - [WMU Cooley Law School](#)
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Board of Law Examiners

People who wish to practice law in Michigan generally must pass the bar exam and character and fitness investigations by the [Board of Law Examiners](#).

[Frequently asked questions](#)

State Bar of Michigan

Anyone who practices law in Michigan must be an active member of the [State Bar of Michigan](#) (SBM).

- [Pipeline Programs Guide](#) (PDF) for law-related K-12 student programs
- [Attorney Search](#)
- [Local and Special-Interest Bar Associations Directory](#) (PDF)
- [Lawyer's Oath](#)